

## **HAMPTON PLANNING BOARD**

### **Minutes**

**April 2, 2008 – 7:00 p.m.**

**PRESENT:** Tracy Emerick, Chair  
Robert Viviano, Vice-Chair  
Tom Higgins  
Richard Bateman, Selectman Member  
Mark Loopley, Clerk  
Keith Lessard  
Fran McMahon  
James Steffen, Town Planner  
Candice Sicard, Planning Secretary

**ABSENT: NONE**

### **I. CALL TO ORDER**

Chairman Emerick began the meeting at 7:00 PM by introducing the Board members and leading the Pledge of Allegiance to the flag.

### **II. ATTENDING TO BE HEARD**

Chairman Emerick recognized that the applicants Chandler W. & Charlene A Rudd voluntarily **withdrew** their application for a special permit for the property address on 446 High Street.

### **III. NEW PUBLIC HEARINGS**

#### **08-015 7 –9 Bonair Avenue**

Map 222 Lot 65

Applicants: Brad M. Pacheco

Condo Conversion. Convert existing two-family to condominium ownership.

Waiver Request: Sections V E Detailed Plan 1, 2, 4, 6, 8, 11, 12, 13, 14, & 15; VII C Storm Drainage.

Owner of Record: Seven –Nine Bonair Ave Realty Trust

### **APPLICANT**

Ernest Cote, with the applicant Brad Pacheco. Mr. Cote explained the proposed plan was to convert the existing duplex building into a two-unit condominium for separate ownership. He noted that there would be no other work on the property as it currently meets the parking and side yard requirements. Mr. Loopley asked about the shed and if it could be moved so that it would meet setback requirements. Mr. Loopley was also concerned about snow storage. Mr. Cote explained how the snow would be moved and stored. The Board noted that the applicant's property has half ownership of Surf Street and they could plow the snow to the back of the building if desired. The Board requested the applicant mark and number the parking spaces on site.

### **PUBLIC**

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John O'Brien, 6 Acadia Avenue. Mr. O'Brien complemented the owners on improvement of the dwelling. His concerns about a high-water table and privacy for his property were discussed. Mr. O'Brien was concerned about parking on the East side and in the rear of the building. He asked if the applicant could have parking limited to what is shown on the site plan. The Board noted that parking spaces would need to be marked on-site and only designated spaces would be allowed to be occupied.

**BOARD DISCUSSION**

Mr. McMahon asked about the shed and whether or not it would be part of unit two. Applicant noted that it would be on both of the units property.

**MOVED** by Mr. Viviano to grant waiver requests Sections V E Detailed Plan 1, 2, 4, 6, 8, 11, 12, 13, 14, & 15; VII C Storm Drainage.

**SECOND** by Mr. Lessard

**VOTE:** 7-0-0

**MOTION PASSED**

Board discussed the shed being moved, and how the parking spaces would be marked and numbered on site as well as snow storage being relocated on plan.

**MOVED** by Mr. Lessard to approve the condominium conversion with the conditions of the Planners Memo dated March 28, 2008 in addition, parking spaces must be marked and numbered on-site, and the applicant agrees to relocate the snow storage to the West side of the building and the shed out of the setbacks.

**SECOND** by Mr. Viviano

**VOTE:** 7-0-0

**MOTION PASSED**

**08-016 1048 Ocean Blvd.**

Map 116 Lot 4

Applicants: Dean Koravos

Special Permit to Impact Wetlands: To remove existing dwelling and larger concrete foundation that supports the decking to construct a new dwelling.

Owner of Record: Dean Koravos

**BOARD DISCUSSION**

The Board noted that the applicant Dean Koravos asked to continue the application until the May 7, 2008 Planning Board Meeting.

**MOVED** by Mr. Lessard to continue the special permit application until the May 7, 2008 Planning Board Meeting.

**SECOND** by Mr. McMahon

**VOTE:** 7-0-0

**MOTION PASSED**

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**08-018 245 Drakeside Road**

Map 157 Lot 7

Applicants: Aaron Brown & Eric West

Subdivision: Subdivide Lot 7 into two residential lots. New lot is proposed to have a condominium duplex constructed on it.

**APPLICANT**

Attorney Bob Cassassa, Cassassa and Ryan with the applicant Aaron E. Brown. Attorney Cassassa explained the current subdivision plan and their wish for the Board to accept jurisdiction so the plan could be sent out for departmental review. Attorney Cassassa explained that the lot would be divided and the current side yard area would be where the duplex would go. It was noted that the applicants have already appeared in front of the Zoning Board of Adjustment and the necessary relief was granted near the end of 2007. Mr. Lessard asked about extending then Town sewer and if it would be in compliance with the 201 Facilities Plan. Attorney Cassassa explained that the input of the departmental review would help them determine their compliance and any future changes that would need to be made. Mr. Higgins asked when they went to Z.B.A., if they were aware that the granted variances would be for the new lot. Discussion ensued on whether or not they were aware the variances would be for two lots. Attorney Cassassa read into record the variance granted by the Z.B.A.

**PUBLIC COMMENT-** No Comment

**BOARD DISCUSSION**

Mr. McMahon asked the Department of Public Works in their review of the sewer extension to explain the potential development for the sewer in the area.

**MOVED** by Mr. Viviano to take jurisdiction and send out for departmental review. Application will be continued to the May 21, 2008 Planning Board Meeting.

**SECOND** by Mr. Loopley

**VOTE:** 7-0-0 **MOTION PASSED**

**06-016 7A Merrill Industrial Drive**

Map 142, Lot 4-1

Rademo Realty Trust

Waiver request: Section III (G) (2) of the Site Plan Regulations for an additional six-month extension of the site plan approval.

**APPLICANT**

Attorney Bob Cassassa, Cassassa and Ryan. Attorney Cassassa explained that the applicant is looking for an extension of the site plan approval because the current extension expires on April 8, 2008. Attorney Cassassa explained that the applicant is asking for a six-month

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extension. The Board was concerned about the length of the extension and if it would allow enough time for approval. The Board discussed giving the project a one-year extension.

**PUBLIC DISCUSSION-** No Comment

**BOARD DISCUSSION-** No Comment

**MOVED** by Mr. Lessard to grant the waiver with a one-year extension, which will expire April 8, 2009.

**SECOND** by Mr. Viviano

**VOTE:** 7-0-0 **MOTION PASSED**

#### **IV. CONTINUED PUBLIC HEARINGS**

##### **08-006 47 & 49 Kings Highway**

**Cont. from 02/07/08**

Map # 223, Lot# 37

Applicant: Owen Carter

Site Plan Review & Condominium Conversion of 3-unit: Convert ownership of property from single owners to condominium ownership.

Waiver Requests: Section V. E. & VIII (c)

Owner of Record: Owen Carter

#### **APPLICANT**

Attorney Bob Cassassa, Cassassa and Ryan on behalf of applicant explained that this is a continued application the Board approved many years ago as a condominium conversion for the property. The original applicant never acted upon projects approval. Attorney Cassassa explained that the parking was highlighted on the provided color coated parking scheme and shows the necessary parking for each unit. Applicant is seeking conversion change in ownership. Attorney Cassassa recognized that if approved, applicant might need to go before the town attorney regarding condominium documents. It was noted that there are no planned alterations, the only change would be in the form of ownership. Mr. Higgins questioned if the old waiver requests granted would still be valid for the property. Discussion ensued about the Board on whether or not the previous waivers granted stay with the property or expire after a certain period of time. Mr. Lessard noted that once an applicant is granted approval on a plan they must convert the ownership or take action on the plan otherwise the validity of the decision would expire after one year.

**PUBLIC DISCUSSION-** No Comment

#### **BOARD DISCUSSION**

Mr. Viviano asked about the position of the parking spaces near unit number three. It was clarified where each parking space would be. The Board noted that only one parking space per

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unit was required. Mr. Higgins asked about adding that the driveways were permitted. The Board agreed that this should be a condition of approval. Mr. Steffen asked about stairway by unit one and if it was in the right of way. It was discussed that the applicant may need to go in front of the Board of Selectman to address permission of encroachment. The Board referred to previous case and their action.

**MOVED** by Mr. Higgins to grant the Waiver Requests Section V. E. & VIII (c)

**SECOND** by Mr. Bateman

**VOTE:** 7-0-0 **MOTION PASSED**

**MOVED** by Mr. Lessard to approve the site plan review & condominium conversion with conditions of the Planners Memo dated March 28, 2008 with the additions that parking spaces be marked and numbered on-site, all driveways shall be permitted and if the stairs are to be altered applicant must appear in front of the Board of Selectman to address the encroachment.

**SECOND** by Mr. Viviano

**VOTE:** 7-0-0 **MOTION PASSED**

**08-007 Bonair Ave. & Locke's Field (40, 48 & 50 Esker Drive Rear) Cont. from  
02/06/2008, 3/5/2008**

Map 209, Lot 50

Minor Lot line Adjustment: to transfer a total of 46, 290 s. f. to the following properties: 40 Esker Drive -15, 987 s. f. Lot 34, Map 209; 48 Esker Drive - 21,389 s. f. Lot 39, Map 209; and 52 Esker Drive - 8,933 s. f. Lot 40, Map 209.

Applicant: Peter Olney

Owner of Record: Meadow Pond Farm Group

**APPLICANT**

The applicant Mr. Peter Olney representing Meadow Pond Farm Corporation, the proposed grantor of the property. John Salters surveyor, proposed grantees Mike Welsh, Kevin Philibotte. Mr. Olney explained that after discussions with the town attorney and planner, they have changed plans to satisfy the recommendations given. Mr. Olney explained the proposed lot line adjustment. Mr. Emerick gave a brief background of the property's history at the Planning Board. Mr. Steffen noted that the town attorney had made one change for note regarding the verbiage of Agricultural Preservation Restriction.

**PUBLIC COMMENT-** No Comment

**BOARD DISCUSSION**

Mr. Steffen explained that the drainage ditch should not be obstructed in any way, but would not rule out fencing so long as it did not impede the drainage flow. Mr. McMahon confirmed each

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property owners deed require that they maintain the ditches. Board explained that this application is a minor lot line minor adjustment / subdivision.

**MOVED** by Mr. Lessard to approve the minor lot line adjustment/subdivision plan as updated with the conditions of the Planners Memo dated April 2, 2008.

**SECOND** by Mr. McMahon

**VOTE:** 7-0-0

**MOTION PASSED**

**V. CONSIDERATION OF MINUTES of March 19, 2008**

**MOVED** by Mr. Lessard to approve the current minutes for March 19, 2008.

**SECOND** by Mr. Viviano

**VOTE:** 7-0-0

**MOTION PASSED**

**VI. CORRESPONDENCE – No Comment**

**VII. OTHER BUSINESS**

Mr. Emerick noted that he would like to solicit alternates for the Planning Board. Also, Mr. Emerick explained that the Master Plan update for town facilities is currently being worked on. Mr. Steffen explained that Public Works was the last department to consult. Board discussed what town facilities were to include. The Board accepts Mr. Faulkner as an alternate.

**VIII. ADJOURNMENT**

**MOVED** by Mr. Loopley

**SECOND** by Mr. McMahon

**VOTE:** 7-0-0

**MOTION PASSED**

**Meeting adjourned at 7:44 pm**

Respectfully Submitted,

Candice Sicard  
Planning Secretary